

St. Clair Newbern, III
State Bar No. 14941000
LAW OFFICES OF
ST. CLAIR NEWBERN, III, P.C.
1701 River Run, Suite 1000
Fort Worth, Texas 76107
Telephone: (817) 870-2647
Facsimile: (817) 335-8658
ATTORNEYS FOR DEBTOR/PLAINTIFF
6531.04/sh

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:)	IN PROCEEDINGS UNDER
)	
RICHARD LEE ZIMMERMAN)	CHAPTER 13
)	
DEBTOR)	CASE NO. 09-42327-RFN-13
)	
RICHARD LEE ZIMMERMAN,)	
)	
PLAINTIFF,)	
)	
v.)	ADVERSARY NO. 09-04237
)	
J.P. MORGAN CHASE & COMPANY)	
a/k/a JPMORGAN CHASE BANK, N.A.,)	
PENNY MAC LOAN SERVICES, LLC,)	
FNBN1, LLC, VERICREST FINANCIAL,)	
INC., DEUTSCHE BANK and JOHN A.)	
LOBUS,)	
)	
DEFENDANTS)	

PLAINTIFF'S NOTICE OF DISMISSAL OF DEFENDANT JOHN A. LOBUS

TO THE HONORABLE RUSSELL F. NELMS, UNITED STATES BANKRUPTCY JUDGE:

Plaintiff Richard Lee Zimmerman files his notice of dismissal under Federal Rules of

Civil Procedure 41(a)(1)(i) and Federal Rules of Bankruptcy Procedure 7041.

1. Plaintiff is Richard Lee Zimmerman; the Defendant, subject to this notice of dismissal, is John A. Lobus.
2. Plaintiff sued Defendant Lobus along with other defendants. Defendant Lobus was served with process and has not filed an answer or a motion for summary judgment.
3. This adversary is not an class action and no receiver has been appointed.
4. This adversary is not governed by any federal statute that requires an order of the court for dismissal of the adversary.
5. Plaintiff Zimmerman has not dismissed an action based on or including the same claims as those presented in this adversary.
6. Each party shall bear its own costs and attorney's fees.
7. This dismissal is without prejudice.

Respectfully submitted:

LAW OFFICES OF
ST. CLAIR NEWBERN, III
A Professional Corporation

By: /s/ St. Clair Newbern, III
ST. CLAIR NEWBERN, III
State Bar No. 14941000
1701 River Run, Suite 1000
Fort Worth, Texas 76107
Telephone: (817) 870-2647
Facsimile: (817) 335-8658
ATTORNEYS FOR DEBTOR/PLAINTIFF,
RICHARD LEE ZIMMERMAN

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a true and correct copy of the foregoing via first class mail, proper postage affixed or via ECF, upon the following:

Office of the United States Trustee
1100 Commerce St., Room 976
Dallas, TX 75242-1496

Mr. Tim Truman
Office of the Chapter 13 Trustee
6851 NE Loop 820, Ste. 300
Fort Worth, TX 76180-6608

Michael John Burns
Brice, Vander Linden & Wernick, P.C.
9441 LBJ Freeway, Suite 250
Dallas, TX 75243

Cristina Camarata
Brice, Vander Linden & Wernick, P.C.
9441 LBJ Freeway, Suite 250
Dallas, TX 75243
(Attorneys for PennyMac)

Bradley C. Knapp
Robert T. Mowrey
Locke Lord Bissell & Liddell, LLP
2200 Ross Avenue, Suite 2200
Dallas, TX 75201
(Attorneys for Vericrest Financial, Inc.
and Deutsche Bank)

Kerry McDowell Southerland
SettlePou
3333 Lee Parkway, Eighth Floor
Dallas, Texas 75219
(Attorneys for J.P. Morgan Chase & Company a/k/a
JPMorgan Chase Bank, N.A.)

J.P. Morgan Chase National Corporate Services, Inc.
Attention: Any Officer, Managing or General Agent
245 Park Ave. Floor 8
New York, NY 10167-0002

J.P. Morgan Chase National Corporate Services, Inc.
c/o CT Corporation System, Registered Agent
350 N. St. Paul Street
Dallas, TX 75201

PennyMac Loan Services, LLC
Attention: Any Officer, Managing or General Agent
27001 Agoura Road
Calabasas, CA 91301

PennyMac Loan Services, LLC
Attention: Any Officer, Managing or General Agent
P.O. Box 829009
Dallas, TX 75382

FNBNI, LLC
PennyMac Mortgage Company Funding Investors, LLC
Attention: Any Officer, Managing or General Agent
27001 Agoura Road, Suite 350
Calabasas, CA 91301

FNBNI, LLC
c/o The Corporation Trust Company, Registered Agent
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

Vericrest Financial, Inc.
Attention: Any Officer, Managing or General Agent
715 South Metropolitan Avenue
Oklahoma City, OK 73108

Polk Prober & Raphael
P.O. Box 4365
Woodland Hills, CA 91365-4365

Vericrest Financial, Inc.
c/o The Corporation Company, Registered Agent
735 1st National Building
Oklahoma City, OK 73102

Deutsche Bank
Attention: Any Officer, Managing or General Agent
60 Wall Street
New York, NY 10005

Deutsche Bank
c/o CT Corporation System, Registered Agent
111 Eighth Avenue
New York, NY 10011

John A. Lobus
The Law Firm of John A. Lobus
710 Kipling Street, #402
Lakewood, CO 80215

and those parties receiving ECF noticing.

Dated: May 5, 2010.

/s/ St. Clair Newbern, III
ST. CLAIR NEWBERN, III